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9 UNITED STATES DISTRICT COURT
10 CENTRAL DISTRICT OF CALIFORNIA
11 SOTHERN DIVISION

12 Janice Getty,

13 Plaintiff,

14 vs.

15 United Recovery Systems, L.P.; and
16 DOES 1-10, inclusive,

17 Defendants.
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21
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Case No.: '16CV1669 CAB DHB

COMPLAINT FOR DAMAGES

**1. VIOLATION OF FAIR DEBT
COLLECTION PRACTICES
ACT, 15 U.S.C. § 1692 *ET. SEQ*;
2. VIOLATION OF CALIFORNIA
FAIR DEBT COLLECTION
PRATICES ACT, CCC § 1788
3. VIOLATION OF THE
TELEPHONE CONSUMER
PROTECTION ACT, 47 U.S.C.
§227 *ET. SEQ*.**

JURY TRIAL DEMANDED

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24 For this Complaint, the Plaintiff, Janice Getty, by undersigned counsel, states as
25 follows:

26 **JURISDICTION**

27
28 1. This action arises out of Defendants' repeated violations of the Fair Debt
Collection Practices Act, 15 U.S.C. § 1692, *et seq.* ("FDCPA"), the Rosenthal Fair

1 Debt Collection Practices Act, CCC 1788, *et. seq.*, and the Telephone Consumer
2 Protection Act, 47 U.S.C. §227, *et. seq.*, by the Defendants and its agents in their
3 illegal efforts to collect a consumer debt.

4 2. Supplemental jurisdiction exists pursuant to 28 U.S.C. § 1367.

5 3. Venue is proper in this District pursuant to 28 U.S.C. § 1391(b), in that
6 Defendants transact business here and a substantial portion of the acts giving rise to
7 this action occurred here.

8 **PARTIES**

9 4. The Plaintiff, Janice Getty (hereafter “Plaintiff”), is an adult individual
10 previously residing in Orange County, California, and is a “consumer” as the term is
11 defined by 15 U.S.C. § 1692a(3). The events described herein occurred within this
12 judicial district.

13 5. The Defendant, United Recovery Systems, LP, (hereafter “URS”), is a
14 company headquartered in Texas, and regularly collects consumer debts throughout
15 California and within Orange County. URS is operating as a collection agency, and is a
16 “debt collector” as the term is defined by 15 U.S.C. § 1692a(6).

17 6. Does 1-10 (the “Collectors”) are individual collectors employed by URS
18 and whose identities are currently unknown to the Plaintiff. One or more of the
19 Collectors may be joined as parties once their identities are disclosed through
20 discovery.

21 7. URS at all times acted by and through one or more of the Collectors.

22 **A. The Debts**

23 8. A financial obligation was allegedly incurred by Plaintiff’s daughter,
24 Karolyn Getty (“Karolyn”), to an original creditor (the “Creditor”). Plaintiff is in no
25 way responsible for the repayment of Karolyn’s debt.

26 9. Several other financial obligation were incurred by Plaintiff to Capital
27 One (collectively referred to as “Plaintiff’s Debt”)
28

1 10. Plaintiff's Debt and Karolyn's debt were purchased, assigned or
2 transferred to URS for collection, or URS was employed by the Creditor to collect the
3 Debt.

4 11. URS attempted to collect Karolyn's debt and Plaintiff's Debt and, as such,
5 engaged in "communications" as defined in 15 U.S.C. § 1692a(2).

6
7 **Karolyn's Debt**

8 12. Within the last four years, URS began calling Plaintiff on her cellular
9 telephone in an attempt to collect Karolyn's debt.

10 13. Plaintiff is in no way responsible for the repayment of Karolyn's debt, and
11 Karolyn cannot be reached at Plaintiff's cellular number.

12 14. Plaintiff never provided her cellular number to the Creditor or to URS,
13 and never provided her consent to be called for Karolyn's debt.

14 15. Plaintiff spoke to URS and told them Karolyn could not be reached at her
15 number

16 16. URS ignored Plaintiff's attempts to stop the calls, and continued to place
17 Automated Calls to Plaintiff at an annoying and harassing rate.

18 **Plaintiff's Debt**

19 17. Within the last four years, URS called Plaintiff in an attempt to collect
20 Plaintiff's Debt.

21 18. Plaintiff spoke to URS and advised she was unable to pay. The URS
22 representative asked whether she could call Plaintiff back in a few weeks, and Plaintiff
23 said okay.

24 19. URS called several days later, again in an attempt to collect Plaintiff's
25 Debt. Plaintiff told the representative she had spoken to URS several days ago and
26 nothing had changed. Plaintiff then directed the representative to stop calling.

27 20. URS thereafter continued to call Plaintiff in an attempt to collect
28 Plaintiff's Debt.

32. Plaintiff is entitled to damages as a result of Defendant's violations.

33. The Plaintiff incorporates by reference all of the above paragraphs of this Complaint as though fully stated herein.

35. When Plaintiff answered the Automated Calls, URS used a prerecorded voice prior to transferring Plaintiff's call to a representative.

37. During other Automated Calls from URS, Plaintiff said “hello” and there was no live representative immediately available with whom Plaintiff could speak. Plaintiff experienced several seconds of dead air until URS’s telephone system transferred the call to a representative.

39. The telephone number called by Defendants was assigned to a cellular telephone service for which Plaintiff incurs charges pursuant to 47 U.S.C. §227(b)(1).

1 7. Costs of litigation and reasonable attorney's fees pursuant to 15 U.S.C.
2 §1692k(a)(3) and Cal. Civ. Code 1788; and

3 8. Such other and further relief as may be just and proper.
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5 **TRIAL BY JURY DEMANDED ON ALL COUNTS**
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7
8 DATED: June 28, 2016

TAMMY HUSSIN

9 By: /s/ Tammy Hussin
10 Tammy Hussin, Esq.
11 Attorney for Plaintiff, Janice Getty
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